

### REMARKS

Claim 4 has been amended and now is believed to be in proper dependent form.

Claim 14 has been cancelled, and its limitations have been incorporated into Claim 12. In accordance with the Official Action, therefore, it is believed that Claims 12 and 13 now are allowable.

Similarly, Claim 19 has been cancelled and its limitations added to Claim 15. Accordingly, it is believed that Claims 15 through 18 and 20 now are allowable.

The rejection of the Claims as being anticipated by or obvious over Anderson and/or McVicker and/or Beatty et al. is respectfully traversed.

Claim 1 has been amended so as to emphasize the features of original Claim 3, which now has been cancelled.

Claim 1 recites the unique structure of the dispenser of the invention in which the bottom structure 52 of the dispenser has an outer wall which is used as the gripping surface for driving the rotor, while simultaneously forming a portion of the outer wall of the entire dispenser.

This is in contrast with both Anderson and McVicker.

Anderson shows a malted milk dispenser which is supported on a stand 2 which is elevated high above a flat surface so that by the rotation of a lever 17, a premeasured

quantity of malted milk powder can be dispensed into a receptacle 52.

Unlike the dispenser of the present invention, the rotatable lower portion of the Anderson dispenser does not serve as a support structure for supporting the dispenser on a support surface, and does not have an outer wall which serves as a part of the outer wall of the dispenser itself.

McVicker shows a soap dispenser, not a food dispenser, and would not be referred to by one of ordinary skill in the food dispenser art in solving problems.

Even if it were referred to by such a person, McVicker would not show or suggest the above-described features of the invention. First, the dispenser device is intended to be mounted on a vertical wall by means of a bracket 27 so that soap can be dispensed downwardly into the hand of someone wishing to wash his or her hands. It is not intended to be a stand-alone table-top dispenser.

Furthermore, the knurled rotor does not form any part of the wall of the dispenser. It is a separate element extending beyond the walls of the container's upper and lower portions.

None of the reference shows the feature of Claim 6 wherein the lower edge has the largest diameter of the frustro-conically shaped bottom portion, which defines a supporting plane to support the dispenser on a support surface.

Thus, the dispenser of the invention as recited in Claim 1 and its dependent claims, is efficiently and compactly structured so that the outer wall portion of the lower section of the dispenser serves a dual purpose; it serves as the outer wall for the lower portion, and as the gripping surface to be used in dispensing condiment through the bottom opening.

As to Claim 8, the DeParales et al. reference merely shows a movable cover for the outlet of a drinking cup. A drinking cup is a far cry from a condiment dispenser, and would not be looked to by one of ordinary skill in the art in the field of such dispensers to solve the problem of leakage of solid materials from the dispenser.

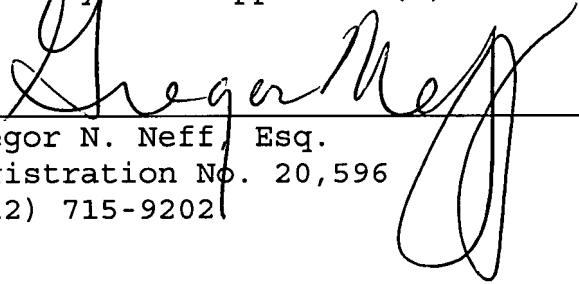
In any event, Claim 8 depends from and is allowable with Claim 1 for the reasons stated above.

As to Claim 9, which has been rejected over Anderson, Anderson does not have a ring-shaped spring member with an offset portion for fitting successively into each of a plurality of detent recesses. In fact, Anderson does not even have a ring member as recited in Claim 9. In addition, Claim 9 depends from and is allowable with Claim 1.

In view of the foregoing, it is respectfully requested  
that the application be allowed.

Respectfully submitted,

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